

(2) A condominium may not require a day care provider to obtain insurance in an amount greater than the minimum amount required under paragraph (1) of this subsection.

(h) ~~(1) EXCEPT AS PROVIDED IN SUBSECTION (D)(1)(I) OF THIS SECTION AND PARAGRAPH (2) OF THIS SUBSECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION OF THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT PROHIBIT A NO-IMPACT HOME-BASED BUSINESS.~~

~~(2) A CONDOMINIUM MAY RESTRICT OR PROHIBIT A NO-IMPACT HOME-BASED BUSINESS IN ANY COMMON ELEMENTS.~~

(I) To the extent that this section is inconsistent with any other provision of this subtitle, this section shall take precedence over any inconsistent provision.

11B-111.1.

(a) (1) In this section, the following words have the meanings indicated.

(2) "Day care provider" means the adult who has primary responsibility for the operation of a family day care home.

(3) "Family day care home" means a unit registered under Title 5, Subtitle 5 of the Family Law Article.

(4) "NO-IMPACT HOME-BASED BUSINESS" MEANS A BUSINESS THAT:

(I) IS CONSISTENT WITH THE RESIDENTIAL CHARACTER OF THE DWELLING UNIT;

(II) IS SUBORDINATE TO THE USE OF THE DWELLING UNIT FOR RESIDENTIAL PURPOSES AND REQUIRES NO EXTERNAL MODIFICATIONS THAT DETRACT FROM THE RESIDENTIAL APPEARANCE OF THE DWELLING UNIT;

(III) USES NO EQUIPMENT OR PROCESS THAT CREATES NOISE, VIBRATION, GLARE, FUMES, ODORS, OR ELECTRICAL OR ELECTRONIC INTERFERENCE DETECTABLE BY NEIGHBORS OR THAT CAUSES AN INCREASE OF COMMON EXPENSES THAT CAN BE SOLELY AND DIRECTLY ATTRIBUTABLE TO A NO-IMPACT HOME-BASED BUSINESS; ~~AND AND~~

(IV) DOES NOT INVOLVE USE, STORAGE, OR DISPOSAL OF ANY GROUPING OR CLASSIFICATION OF MATERIALS THAT THE UNITED STATES SECRETARY OF TRANSPORTATION OR THE STATE OR ANY LOCAL GOVERNING BODY DESIGNATES AS A HAZARDOUS MATERIAL;

~~(V) IS OWNED OR OPERATED BY A RESIDENT OF THE DWELLING UNIT AND HAS NO EMPLOYEES, AGENTS, OR CONTRACTORS ON THE PREMISES OTHER THAN A RESIDENT OF THE DWELLING UNIT, AND~~

~~(VI) DOES NOT HAVE ANY CUSTOMERS OR INVITEES VISITING THE PREMISES.~~